

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9085 of 2012

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RAJEEV KUMAR S/O Shri Devendra Prasad Singh R/O Village- Sonapur
Dih, P.O.- Hanspur, Police Station- Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR and ORS Home Police Department, Govt. Of Bihar, Patna
2. The Director General Of Police, Bihar, Patna
3. The Deputy Inspector General Of Police, Munger Range, Munger
4. The Superintendent Of Police, Begusarai
5. The Commandant, B.M.P. 13, Darbhanga
6. The Commandant, B.M.P. 8, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma
For the Respondent/s : Mr. Neeraj Nandan GP-20

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-12-2023 Heard learned counsel for the petitioner and learned
counsel appearing for the State.

2. The present writ application has been filed seeking
direction upon the respondents to select the petitioner as
constable in BMP, Begusarai as he has applied for the post of
constable.

3. A counter affidavit has been filed on behalf of the
State interalia stating that there is no vacant post in B.M.P.-8,
Begusarai for the advertisement of the year 2004 and the
candidates last selected on the basis of merit cum- waiting list
among general candidate, who is Prakash Kumar Yadav, whose



name figured at Sr. No. 51 having obtained 13 marks which was the last cut of marks for appointment of constable and the petitioner's name figured at Sr. No. 65 and the petitioner has obtained only 10 marks, therefore, the petitioner could not be selected for the post of constable.

4. Relying upon the aforesaid facts, the learned counsel for the State submits that the petitioner has got no cause of action warranting interference of this Court.

5. Taking note of the stand of the State as well as the material fact available on record, this Court is of the view that since the petitioner has failed to secure the last cut off marks of 13 in his category and, accordingly, declared unsuccessful for the appointment on the post of Constable, the petitioner has failed to make out a case for appointment on the post of Constable and no cause of action arisen warranting interference of this Court. Hence, this writ application is dismissed being devoid of merit.

(Rajesh Kumar Verma, J)

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